



Appeal Statement

Householder Extensions & Alterations

AT

129 Evelyn Avenue,
Ruislip HA4 8AH

Reference:
129EG-1753

Date:
1 September 2021

1. Introduction

- a. This Appeal Statement has been prepared by Just Planning on behalf of Mr & Mrs S Kukapalan to support an appeal against the decision of London Borough of Hillingdon to refuse an application for side and rear extensions and a rear dormer roof extension at 129 Evelyn Avenue, in Ruislip.
- b. Following a description of the site and surrounding area, this report will provide an overview of relevant planning policy and outline the case for the appellants.
- c. It will be demonstrated that the proposal complies with relevant local and national policies and that planning permission should therefore be granted.

2. Background

- a. On 19 March 2021, the appellants submitted an application to London Borough of Hillingdon for the following proposal (reference: 75930/APP/2021/1114):

Single storey rear extension, single storey garage extension, first floor side/rear extension and conversion of roofspace to habitable use to include a rear dormer and 7 rooflights with rendering to external walls and alterations to fenestration.

- b. On 11 June 2021, the council refused planning permission for the following reasons:

1. *The proposed two storey side extension, by virtue of its siting, size, scale and design would fail to appear as a subordinate addition and would thus fail to harmonise with the architectural composition of the original detached dwelling. It would be detrimental to the character and appearance of the original detached dwelling and to the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).*
2. *The proposed alterations to the roof, specifically the crown roof design, would fail to harmonise with the architectural composition of the original detached dwelling and would be detrimental to the character and appearance of the original detached dwelling and the visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).*

3. Site Description

- a. The appeal site comprises a link-detached, two-storey house located on the southern side of Evelyn Avenue. It is brick-built with a hipped roof and a front gable projection. A side garage links it to number 127, to the east. It has a double-storey rear extension with a flat roof. It also has a long, mature rear garden and a garden with off-street parking to the front. Figure 1, below, shows the property and its link-attached neighbour, viewed from the street.



Figure 1: Image of the appeal property, viewed from the street

- b. The surrounding area is residential in character, made up mostly of substantial detached houses in a variety of styles and detailed designs. Many of the houses have been altered and extended in various ways, contributing further to a diverse streetscene.
- c. The neighbour to the east, number 127, has a single-storey side extension that projects into the garden along the shared boundary. In June 2020, the council granted planning permission for two-storey side and rear extensions (reference: 35438/APP/2020/416) at this property. The approved plans and decision notice for this development are provided in the appendices. The western neighbour, number 131, has a single-storey rear extension.
- d. The plots along this row are slightly angled from the street and the building line is stepped so that number 131 sits slightly in front of the appeal property and number 127 sits slightly behind. The plots are mostly level, and the boundaries are marked by tall, mature planting. The satellite image in figure 2, below, shows the rear of the appeal property and its immediate neighbours.



Figure 2: Image of the rear of the appeal property and close neighbours

- e. The building on the application site is not listed and the site is not located within a designated conservation area.

4. Recent Planning History & Appeal Proposal

- a. The appellants sought pre-application advice on their proposals. The council provided a written response on 19 January 2021 (reference: 75930/PRC/2020/200) to say that:
- The proposed 6m-deep ground floor rear extension is acceptable given that a similar extension has recently been approved at number 127 and given that the extension is stepped back closer to number 131;
 - The proposed 1.5m-deep first floor rear extension is considered to be an appropriate and subordinate addition to the property;
 - The proposed side extension, projecting forward of the existing garage and with a first-floor addition, is considered acceptable;
 - The proposed dormer roof extensions, which wrap around the side and rear roofslopes, are oversized and should be reconsidered; and,
 - The proposed outbuilding is acceptable.
- b. The pre-application response is provided in the appendices.
- c. The appellants revised their proposals in light of the council's pre-application advice. In particular, the new design incorporates hip-to-gable roof extensions and a single rear dormer. The new dormer is set away from the four sides of the roof, to appear as a subservient addition.
- d. The appeal proposal is for:
- *A single-storey rear extension to a maximum depth of 6m;*
 - *A first-floor rear extension to a maximum depth of 1.5m;*
 - *A two-storey side extension; and,*
 - *A hip-to-gable roof extension with rear dormer.*

5. Planning Policy

- a. Planning law states that decisions on planning applications must be taken in accordance with the statutory development plan unless material considerations indicate otherwise. The relevant parts of the development plan for the area are the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).
- b. According to the decision notice, the development fails to comply with policy BE1 of the Strategic Policies and policies DMHD 1, DMHB 11 and DMHB 12 of the Development Management Policies.
- c. Policy BE1 (Built Environment) of the Strategic Policies requires all new development to improve the quality of the built environment in order to create successful and sustainable neighbourhoods. Among other things, the policy states that development proposals should be sensitive to local identity, landscapes, townscapes and views, improve areas of poor environmental quality, improve the quality of the public realm, and not result in the inappropriate development of gardens and green spaces that erode the character of suburban areas.
- d. Policy DMHD 1 (Alterations and Extensions to Residential Dwellings) sets out criteria for extensions. It seeks to ensure that there is:

"no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area"

- e. It requires that extensions are subordinate to the host dwelling *"in their floor area, width, depth and height"*. It recommends the use of matching materials. It requires that adequate garden space and parking is retained.
- f. It recommends a maximum depth of 4m for rear extensions and requires that front extensions are modest in size and do not harm a property's character or appearance.
- g. Policy DMHB 11 (Design of New Development) of the Development Management Policies requires that all new development exhibit a high quality of design. Development should harmonise with its surroundings in terms of its scale, size and detailed design. It should use high quality materials. It should not unacceptably harm the residential amenity of close neighbours.

- h. Policy DMHB 12 (Streets and Public Realm) relates to the public realm design and improvements and does not appear to be relevant to the appeal proposal, which is confined to the curtilage of the dwelling only.
- i. The National Planning Policy Framework (NPPF, 2021) sets out the government's planning policies for England and how they should be applied. It identifies a presumption in favour of sustainable development. Development is sustainable when it meets the economic, social and environmental needs of a community.
- j. Paragraph 11(c) requires that decision-makers approve "*development proposals that accord with an up-to-date development plan without delay*". Where policies are absent or out of date, permission should be granted unless:

"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

- k. According to paragraph 38:

"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."

- l. Paragraph 126 states that:

"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

6. Case for the Appellants

- a. The council does not object in principle to the extension of this dwelling and it is satisfied that there will be no harm to the residential amenity of close neighbours. It is concerned, however, about the impact of the proposal on the character and appearance of the property and wider streetscene.
- b. The officer's report notes that, though the council generally seeks to limit the depth of rear extension to 4m, the proposed 6m-deep ground floor addition is considered acceptable given that a similar extension was approved at number 127. The extension is stepped so that it is less deep closer to the other neighbour, number 131. It is also set away from the side boundary with this neighbour.
- c. The council is also satisfied with the proposed first-floor rear extension, which is shallow in depth and part-width only. The case officer observes that the rear extension actually improves the design of the building by removing the flat roof above the existing two-storey rear extension.
- d. In respect of the side extension, the officer's report acknowledges that it meets the council's requirements that it have a width less than 50% of the width of the main house and be set back 1m from the front. However, the council considers the extension to have a 'contrived' roof form that would harm visual amenities.
- e. The appellants consider that the roof over the side extension reflects and respects the character of the building. It is hipped to match the slope of the hipped roof over the front gable, but with a small crown element to lower its height and minimise its visual impact. It is a superior design outcome to a flat roof, or to a hipped roof with a shallower slope, or to a hip that was also parallel to the hip on the front gable but rose to the same overall height. The outcome is a balanced and harmonious front elevation and there is no undue harm to the streetscene.
- f. The first reason for refusal describes the side extension as failing to appear as a subordinate addition. However, given its setback from the front, setdown from the main roof, sympathetic roof design and modest width, it will be a subservient addition to the main building.
- g. The officer's report acknowledges that the proposed rear dormer meets policy requirements that it be set away from the sides of the roof and take up no more than two-thirds of the rear roofslope. The case officer objects to the crown roof form, but a crown is not proposed for the main roof, apart from a very small area at the ridge. There is an area of crown roof over the

side extension, but it is a small area and will not be readily discernible from the street. The removal of the flat roof over the existing two-storey extension will reduce the area of flat roof at roof level.

- h. The appellants draw the inspector's attention to the submitted 3D images of the proposed development, which show that it as an integrated and coherent design. Figure 3, below, is a 3D representation of the extended property, viewed from the rear.



Figure 3: 3D image of the proposed development

- i. The appellants note that this area is diverse in character and appearance and the houses have been extended in a variety of different ways. Relatively large-scale extensions have been approved at number 127, next door. The appeal development will not look out of place in the context of surrounding development.

7. Conclusions

- a. The council does not object in principle to the appeal proposal and does not believe there will be any harm to neighbours' amenities. It is happy with the rear extensions and the proposed rear dormer. It is concerned about the use of crown roofs in the roof design.
- b. The roof over the side extension is the optimal design for this extension – it is a hipped roof set parallel to the hipped roof over the main front gable projection on the house. To moderate its height and mitigate its visual impact, a small area of crown roof is incorporated. This will not be readily visible from the street, will not appear incongruous and the result is a balanced and harmonious front elevation.
- c. There is only a little area of crown roof at the ridge of the main roof. The dormer also has a flat roof, but this is a conventional arrangement. The hip-to-gable extensions are symmetrical since this is a detached, and not a semi-detached house, and the dormer is modest in size and scale. The council accepts that the removal of the flat roof over the existing two-storey rear extension is a benefit to be weighed up in the planning balance.
- d. For the above reasons, it is considered that the proposal complies with the relevant development plan and national policies and the inspector is therefore respectfully requested to allow this appeal.



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